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**Third Committee**
Agenda item 109 (a)
**Human rights questions: implementation of human rights instruments**

**Argentina, Australia, Austria, Belgium, Canada, Chile, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland: draft resolution**

# Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

*The General Assembly*,

*Recalling* its resolution 55/90 of 4 December 2000, as well as other relevant resolutions, and taking note of Commission on Human Rights resolution 2002/85 of 26 April 2002,

*Reaffirming* that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights,[1] to promote universal respect for and observance of human rights and fundamental freedoms,

*Considering* that the effective functioning of treaty bodies established pursuant to United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

*Reaffirming* the contribution of the human rights treaty bodies, within their mandates, to the prevention of violations of human rights, in the context of their consideration of reports submitted pursuant to their respective treaties,

*Reiterating* its concern about the lack of adequate resources, which impedes the effective functioning of the treaty bodies,

[1] Resolution 217 A (III).

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*Recalling* that the effectiveness of the treaty bodies in encouraging the realization by States parties of their obligations under United Nations human rights instruments requires constructive dialogue aimed at assisting States parties in identifying solutions to human rights problems, which should be based on the reporting process supplemented by information from all relevant sources, which should be shared with all interested parties,

*Recalling also* the initiatives taken by a number of human rights treaty bodies to elaborate early warning measures and urgent procedures, within their mandates, with a view to preventing the occurrence or recurrence of serious human rights violations,

*Reaffirming* its responsibility for the effective functioning of human rights treaty bodies, and reaffirming also the importance of:

(*a*) Promoting the effective functioning of the periodic reporting by States parties to those instruments,

(*b*) Securing sufficient financial, human and information resources for the Office of the United Nations High Commissioner for Human Rights to enable the human rights treaty bodies to carry out their mandates effectively, including in regard to their ability to work in the applicable working languages,

(*c*) Promoting greater efficiency and effectiveness through better coordination of the activities of the United Nations bodies active in the field of human rights, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks,

(*d*) Addressing questions of both reporting obligations and financial implications when elaborating any further instruments on human rights,

1. *Takes note with appreciation* of the report of the Secretary-General[2] and the reports of the persons chairing the human rights treaty bodies on their thirteenth and fourteenth meetings,[3] held at Geneva in June 2001 and June 2002 respectively, and also takes note of the conclusions and recommendations contained in the reports;

2. *Encourages* each treaty body to continue to give careful consideration to the relevant conclusions and recommendations contained in the reports of the chairpersons on the meetings of the human rights treaty bodies, and, in this context, encourages enhanced cooperation and coordination among the human rights treaty bodies;

3. *Welcomes* the holding of the first inter-committee meeting of the human rights treaty bodies, from 26 to 28 June 2002, to discuss issues of common concern, including issues related to the methods of work of the treaty bodies, and encourages those bodies to continue this practice in future on an annual basis;

4. *Encourages* the persons chairing the human rights treaty bodies to continue to invite representatives of States parties to participate in a dialogue within the framework of their meetings, and welcomes broad participation by States parties in the dialogue;

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[2] A/57/476.

[3] See A/57/56 and A/57/399.

5. *Emphasizes* the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies, particularly in view of the additional demands placed on the system with the new reporting requirements and the increasing number of ratifications and, with this in mind:

(*a*) Reiterates its request that the Secretary-General provide adequate resources in respect of each human rights treaty body, while making the most efficient use of existing resources, in order to give the treaty bodies adequate administrative support and better access to technical expertise and relevant information;

(*b*) Calls upon the Secretary-General to seek, in the next biennium, the resources within the regular budget of the United Nations necessary to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

(*c*) Welcomes the plans of action prepared by the United Nations High Commissioner for Human Rights to enhance the resources available to all the human rights treaty bodies and thereby strengthen the implementation of the human rights treaties, and encourages all Governments, United Nations bodies and specialized agencies, non-governmental organizations and interested persons to consider contributing to the appeal for extrabudgetary resources for the treaty bodies made by the High Commissioner until the regular budget funding meets their needs;

6. *Takes note* of the measures taken by each of the human rights treaty bodies to improve their functioning, as reflected in their respective annual reports, and encourages continuing efforts by the treaty bodies, with the assistance of the Secretary-General, to help States parties to improve their ability to meet their reporting obligations;

7. *Welcomes* the efforts by the human rights treaty bodies and the States parties, with the assistance of the Secretary-General and the High Commissioner, aimed at improving the effectiveness of the treaty body system, and encourages them to continue to examine ways of further improving its effectiveness, inter alia, by streamlining and otherwise improving reporting procedures;

8. *Also welcomes* the initiative taken by certain treaty bodies to set page limitations for the initial and periodic reports of States parties, and encourages other treaty bodies to consider setting page limitations;

9. *Calls upon* each State party to update its core document, incorporating as necessary material common to multiple treaty body reports;

10. *Commends* the recent efforts by the treaty bodies, with the assistance of the Office of the High Commissioner for Human Rights, to improve the petition system and to reduce the backlog;

11. *Reiterates* that a priority of the Office of the High Commissioner should be to provide assistance to States parties, upon their request and, if possible, in coordination with other United Nations bodies, Governments and other interested parties, in order:

(*a*) To assist those States in the process of ratifying United Nations human rights instruments;

(*b*) To assist States to implement their obligations under such instruments, including the preparation of their initial reports;

12. *Calls upon* the Office of the High Commissioner to enhance awareness of the availability of technical assistance for States parties;

13. *Welcomes*, in this respect, the first regional pilot workshop for dialogue on the concluding observations of the Human Rights Committee, held in Quito from 27 to 29 August 2002;

14. *Encourages* the human rights treaty bodies and the Office of the High Commissioner to continue to identify specific possibilities for technical assistance, to be provided at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties, and encourages States parties to consider carefully the concluding observations of the treaty bodies in identifying their needs for technical assistance;

15. *Invites* States parties that have not yet submitted their initial reports pursuant to United Nations human rights instruments to avail themselves, where necessary, of technical assistance for this purpose;

16. *Welcomes* the efforts to eliminate the backlog of reports on the implementation by States parties of United Nations instruments on human rights and the progress made in ensuring timely consideration of reports of the human rights treaty bodies;

17. *Reiterates* its concern about the large number of overdue reports on the implementation by States parties of certain United Nations instruments on human rights, and:

(*a*) Urges States parties to make every effort to meet their reporting obligations;

(*b*) Welcomes the efforts taken by certain human rights treaty bodies to consider the situations of some States parties with overdue reports;

(*c*) Welcomes new initiatives by certain treaty bodies to actively follow up concluding observations and comments with States parties, including through the appointment of one of their members as rapporteur for follow-up;

18. *Urges* each State party whose report has been examined by a human rights treaty body to translate, publish and make available in its territory the full text of the concluding observations and comments of the treaty body on its report and to provide adequate follow-up to those observations;

19. *Welcomes* the contribution to the work of the human rights treaty bodies made by the specialized agencies and other United Nations bodies, and encourages the specialized agencies and other United Nations bodies, the various organs of the Commission on Human Rights, including its special procedures, the Subcommission on the Promotion and Protection of Human Rights, the Office of the High Commissioner and the chairpersons of the human rights treaty bodies to continue to explore specific measures to intensify this cooperation among themselves and to improve communication and information flow so as to improve further the quality of their work, including by avoiding unnecessary duplication;

20. *Recognizes* the important role played by non-governmental organizations in all parts of the world in the effective implementation of all human rights instruments, and encourages the exchange of information between the human rights treaty bodies and such organizations;

21. *Recalls*, with regard to the election of the members of the human rights treaty bodies, the importance of giving consideration to equitable geographical distribution and gender balance of the membership and to the representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights, and encourages States parties, individually and through meetings of States parties, to consider how to give better effect to these principles;

22. *Encourages* the efforts of the treaty bodies to monitor more effectively the human rights of women, bearing in mind the workshops on gender integration, and reaffirms that it is the responsibility of all treaty bodies to integrate a gender perspective into their work;

23. *Requests* the Secretary-General to submit to the General Assembly at its fifty-ninth session the reports of the persons chairing the human rights treaty bodies on their periodic meetings, and to report to it at the same session on measures taken to implement the present resolution and obstacles to its implementation, on measures to encourage technical cooperation and on measures taken or planned to ensure financing and adequate staff and information resources for the effective operation of the human rights treaty bodies;

24. *Decides* to consider this question on a priority basis at its fifty-ninth session under the item entitled "Human rights questions".